

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

	X
DAVID B. NEWMAN and IRA F/B/O DAVID	:
NEWMAN-PERSHING LLC as Custodian, on behalf of	08 Civ. 11215 (LBS)
themselves and all Others Similarly Situated, and	:
Derivatively on behalf of FM LOW VOLATILITY FUND,	:
L.P.,	ECF CASE
Plaintiffs,	:
v.	:
FAMILY MANAGEMENT CORPORATION;	:
SEYMOUR W. ZISES; ANDREA L. TESSLER;	:
ANDOVER ASSOCIATES LLC I; ANDOVER	:
ASSOCIATES MANAGEMENT CORP.; BEACON	:
ASSOCIATES LLC I; BEACON ASSOCIATES	:
MANAGEMENT CORP.; JOEL DANZIGER; HARRIS	:
MARKHOFF; IVY ASSET MANAGEMENT CORP.;	:
THE BANK OF NEW YORK MELLON	:
CORPORATION; MAXAM CAPITAL MANAGEMENT	:
LLC; MAXAM CAPITAL GP, LLC; MAXAM CAPITAL	:
MANAGEMENT LIMITED; SANDRA MANZKE; and	:
JOHN DOES 1-100,	:
Defendants,	:
and FM LOW VOLATILITY FUND, L.P.,	:
Nominal Defendant.	:

X

CERTIFICATE OF SERVICE

I, Kimberly A. Lynch, assistant managing clerk at Cleary Gottlieb Steen & Hamilton LLP, hereby certify that:

On July 23, 2010, copies of the foregoing Reply Memorandum of Law in Further Support of Ivy Asset Management LLC's and The Bank of New York Mellon Corporation's Motion to

Dismiss were served on all parties by electronic transmission through the Court's CM/ECF System.

/s/ Kimberly A. Lynch
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